



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/132,231	08.11.1998	MARSHALL S. HORWITZ	032425-001	9035

21839 7590 11/15/2002

BURNS DOANE SWECKER & MATHIS L L P  
POST OFFICE BOX 1404  
ALEXANDRIA, VA 22313-1404

EXAMINER
----------

BRUSCA, JOHN S

ART UNIT	PAPER NUMBER
----------	--------------

1631

DATE MAILED: 11/15/2002

46

Please find below and/or attached an Office communication concerning this application or proceeding.



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

Address: ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER
----------

ART UNIT	PAPER
----------	-------

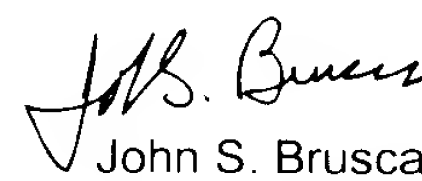
46

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

The applicants are requested to provide a statement under 37 CFR 1.607 defining the proposed count for interference relative to the instant pending claims 29-48 resulting from the amendment filed 05 September 2002. The applicants are further requested to file a statement under 37 CFR 1.608(b). The proposed interference concerns applications that claim priority to Application No. 06/942630, which was filed under 35 U.S.C. § 371. For the purpose of consideration under 37 CFR 1.608 the effective filing date of the Kauffman priority application will be considered to be the international filing date rather than the 102(e) date of the application since the application is not being applied as a reference under 35 U.S.C. § 102(e) in this situation. Since the international filing date of the priority application of Kauffman is 17 June 1985, the instant application has an effective filing date 13 months later than the Kauffman application and 37 CFR 1.608(b) rather than 608(a) applies to the proposed interference.

  
John S. Brusca  
Primary Examiner  
Art Unit: 1631